

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 16, 1893.—Ordered to be printed.

Mr. DAVIS, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany S. 2905.]

The Committee on Military Affairs, to whom was referred the bill (S. 2905) for the relief of John M. Goodhue, having had the same under consideration, beg leave to submit the following report:

The bill provides—

That the President of the United States be, and is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint John M. Goodhue, late major of the Twenty-third and Eleventh regiments of the United States Infantry, a major of infantry in the Army and when so appointed he shall be placed upon the list of retired officers of the Army, unlimited, with rank and pay from the date of his appointment and retirement under the provisions of this bill.

Similar bills to the above were before this committee during the Forty-fifth and Forty-seventh Congresses, but were adversely reported for three reasons.

(1) The first objection to the bill was that Maj. Goodhue, having been ordered before a retiring board in 1864, that board expressed the "opinion that this officer will be fit for duty in the field in about twenty days," and recommended that he remain in the hospital for treatment.

The facts concerning this ground of objection are these:

Capt. Goodhue was wounded in the right hand at the battle of Gettysburg, July 2, 1863, in which he lost his little finger. He remained away from his regiment for some time on account of his wound, at hospital, when he was ordered to duty at Long Island, Boston Harbor. He was afterwards ordered to join his regiment, but he reported that he was unable to do active duty and was then ordered before the retiring board. It is but fair to say, in behalf of Maj. Goodhue, that he did not ask at that time to be retired and, furthermore, he did not desire to be retired, because he felt that he was not permanently incapacitated from doing active duty, but was then merely temporarily suffering from the effects of the wound in his hand and also from rheumatism and piles, and the board very properly reported that he "is not incapacitated for the performance of the active duties of his office in the field." Capt. Goodhue did not claim that he was. He was afterwards promoted to major.

(2) The second objection which prompted the committee to report the bill adversely before was this:

The records of the Adjutant-General's Office make no mention of the injuries received by Maj. Goodhue in 1866, nor do they, in the opinion of the Adjutant-General, indicate that he was entitled to retirement.

The facts concerning this point are clearly shown in the affidavit of Maj. Goodhue, and from other sources, to be these:

In 1866, two years subsequent to his appearing before the retiring board, Maj. Goodhue was, with his regiment, doing duty in Richmond, Va. While engaged in superintending the pulling down of some old barracks, the roof of one of them fell in, striking Maj. Goodhue with great force on the head. So severe was this injury that he was laid up for a very long time and unable to do duty with his regiment, as is unmistakably proven by certain army surgeons who attended him at that time. He attempted to do so on several occasions, but was ordered to his quarters as being unfit for duty.

Maj. Goodhue is still suffering from the effects of that blow on the head, of which, for some unknown and incomprehensible reason, no mention is made in the records of the Adjutant-General's Office, and the fact that there is not surely ought not to weigh against or prejudice Maj. Goodhue's case. If this testimony had been before the committee on the former occasions there is no doubt but that the report would have been different from what it was.

(3) The third reason which actuated the committee in making its former report was this:

He was given a place in the reduced Army, but became a supernumerary officer at his own request, and under the act of July 15, 1870, section 12, was necessarily mustered out January 1, 1871. While he was supernumerary officer he presented no claim for retirement.

The records show that Maj. Goodhue was appointed captain May 14, 1861; brevetted major March 13, 1865, for gallant and meritorious services at the battle of Gettysburg (where he lost a finger), and major November 23, 1868. He remained with his regiment to March 26, 1869, when, at his own request, he was placed on the unassigned list, but remained on duty in Virginia, as military commissioner, to July 31, 1869; awaiting orders to April 23, 1870, when detailed as Indian agent, and served in that capacity at Yankton, Dak., to November, 1870; awaiting orders until honorably mustered out of service January 1, 1871.

It will thus be seen that Maj. Goodhue gave ten of the very best years of his life to the service of his country—serving during the entire war and five years afterwards. His record is most honorable, patriotic, and without taint.

At the time he was mustered out Maj. Goodhue was in great trouble. His wife was very ill in the East, and the desire to be near her in her illness—he did not know but what it would terminate fatally—prompted him, as it would have prompted any loving husband, under similar circumstances, to ask to be placed on the supernumerary list, or any other list, in order that he might be with his wife during her illness. In the meantime he was mustered out.

Although suffering from the effects of the injury to his head at that time, he had no possible conception that, as time went on, it would be more severe and that it would become a permanent disability, which in truth it has, or he would have claimed retirement while he was a supernumerary officer.

The undeniable facts are that Maj. Goodhue is to-day permanently disabled from doing any physical labor whatever, and is living, to some extent, upon the charity of friends in the town in which he resides. The pension which he receives is entirely inadequate to his support. The Pension Office granted him a pension, in the first place, on account of the loss of his finger, and then subsequently increased it by reason of

the injury to his head, and also on account of piles and rheumatism from which he had suffered when he was called before the retiring board in 1864.

There was filed before the committee a petition, signed by some of the most reputable citizens of Worcester, Mass., requesting that Maj. Goodhue be placed on the retired list.

The legislature of Massachusetts, after a thorough examination of the case of Maj. Goodhue, unanimously passed a resolution requesting Congress to place him on the retired list.

Gen. Burnside, who made the first adverse report on this case, subsequently assured Senator Hoar that if the Fitz-John Porter bill became a law he would report Maj. Goodhue's case favorably.

Gen. Logan, for a long time chairman of the Senate Committee on Military Affairs, also gave assurance to the same effect.

In view of the fact that additional testimony has been placed in the hands of the committee, and that new light has been shed on this case since the committee formerly reported the bill, and, taking all the circumstances into consideration, they now feel warranted in reporting the bill favorably to the Senate, and recommend its passage with the following amendment after the last word in the last line: "the retired list being thereby increased in number to that extent; and all laws and parts of laws in conflict herewith are suspended for this purpose only."

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